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APR 19 2010

OFFICE OF PETITIONS

FAX

TO **FAX:** 15712736500

FROM **NAME:** Louey, Mara

RECIPIENT: U.S. Patent No. 7,018,645 (Our Ref. 68936.001150)

Attached please find the following document:

"Petition To Correct Entity Size Under 37 CFR 1.28(c)"

Sent on behalf of:
Jeff B. Vockrodt

<<http://www.hunton.com/media/emailsig/images/HW2.gif>>
Mara Louey
Professional Assistant
mlouey@hunton.com

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DATE/TIME:

2010-04-12 14:17:34 EDT

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APR 19 2010

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number	7,018,645	Confirmation No.:	2670
Applicant	Ai-Zhi Piao		
Issued	March 28, 2006		
Application Number	09/559,799		
Filed	April 27, 2000		
Title	MIXTURES OF VARIOUS TRIBLOCK POLYESTER POLYETHYLENE GLYCOL COPOLYMERS HAVING IMPROVED GEL PROPERTIES		
TC/Art Unit	1616		
Examiner:	Sharmila S. Gollamudi		
Docket No.	68936.001150		
Customer No.	21967		

MAIL STOP M CORRESPONDENCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO CORRECT ENTITY SIZE UNDER 37 CFR 1.28(c)

Sir:

In response to the Notice regarding our request for acceptance of a fee deficiency submission in which the fee deficiency submission under 37 CFR 1.28 was NOT ACCEPTED, Applicant hereby submits this Petition to Correct Entity Size under 37 CFR 1.28(c). Further to the Notice of Loss of Entitlement to Small Entity Status filed October 14, 2009 (see attached), Patentee, through its undersigned representative, hereby requests Large Entity status for the above identified patent be accepted by the Patent Office.

Per the Notice, the additional fee of \$490.00 submitted December 22, 2009, has been acknowledged by the Patent Office and therefore submits the attached itemization of fees as required by the Notice. Applicant also submits a copy of U.S.P.T.O. Deposit Account #50-0206 Statement for December 2009.

Applicants desire to move quickly to correct this error with this filing through this petition which includes this separate submission and itemization requirements of 37 CFR

PATENT NO. 7,018,645
PETITION TO CORRECT ENTITY STATUS
ATTORNEY DOCKET NO. 68936.001150

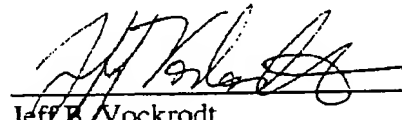
1.28(c)(1) and (c)(2). Applicants believe no additional fees are due. In the event any variance exists between the amount enclosed and the Patent Office charges, please charge or credit any difference to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS

Date: April 12, 2010

By:


Jeff B. Vockrodt
Registration No. 54,833

1900 K Street, N.W., Suite 1200
Washington, D.C. 20006-1109
Tel.: (202) 955-1500
Fax: (202) 778-2201

PATENT NO. 7,018,645
 PETITION TO CORRECT ENTITY STATUS
 ATTORNEY DOCKET NO. 68936.001150

Itemization of Fees Erroneously Paid and Deficiencies owed per 37 CFR 1.28(c)(2)

Item	Date Paid	Paid	Current Fee (for Large Entity)	Deficiency
Payment of Maintenance Fee, 4 th year Small Entity	08/26/2009	\$490.00	\$980.00	\$490.00
Payment of Maintenance Fee, Large Entity Deficiency charged to Deposit Account (See 50-0206 Deposit Account Statement attached)	12/29/2009	\$490.00	\$980.00	\$0.00
Refund of Maintenance Fee, Large Entity Deficiency refunded to Deposit Account (See 50-0206 Deposit Account Statement attached)	12/30/2009	(\$490.00)	\$980.00	\$490.00
Payment of Maintenance Fee, Large Entity Deficiency charged to Deposit Account (See 50-0206 Deposit Account Statement attached)	12/30/2009	\$490.00	\$980.00	(\$0.00)
Total Deficiency Owed				\$0.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number : 7,018,645 Confirmation No.: 2670
Applicant : Ai-Zhi Piao
Issued : March 28, 2006
Application Number : 09/559,799
Filed : April 27, 2000
Title : MIXTURES OF VARIOUS TRIBLOCK POLYESTER
POLYETHYLENE GLYCOL COPOLYMERS HAVING
IMPROVED GEL PROPERTIES
TC/Art Unit : 1616
Examiner: : Sharmila S. Gollamudi
Docket No. : 68936.001150
Customer No. : 21967

MAIL STOP M CORRESPONDENCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS FILED
OCTOBER 14, 2009 AND AUTHORIZATION TO CHARGE ADDITIONAL
MAINTENANCE FEES

Sir

Further to the Notice of Loss of Entitlement to Small Entity Status filed October 14, 2009 (see attached), Patentee, through its undersigned representative, hereby authorizes the U.S. Patent and Trademark Office to charge the additional Maintenance fees of \$490.00 to the undersigned's Deposit Account No. 50-0206. Maintenance fees in the amount of \$490.00 for Small Entity were paid on August 26, 2009. In the event any variance exists between the amount enclosed and the Patent Office charges, please charge or credit any difference to the undersigned's Deposit Account No. 50-0206.

04/14/09
Respectfully submitted,
HUNTON & WILLIAMS

By:

Jeff B. Vockler
Registration

Dated: December 22, 2009

01 FC:2551

Hunton & Williams LLP
Intellectual Property Department
1900 K Street, N.W.
Suite 1200
Washington, DC 20006-1109
(202) 955-1500 (telephone)
(202) 778-2201 (facsimile)

~~CANCELLED~~
CANCELLED

Deposit Account Statement

50-0206
December 2009

Page 11 of 12

12/29 1247	12666880	60291.000084	1642	\$430.00	\$110,464.39
12/29 1248	12666880	60291.000084	1633	\$220.00	\$110,244.39
12/29 11	490.00	68936.1150	1559	\$490.00	\$109,754.39
12/29 1504	11686233	58767.000024	1253	\$1,110.00	\$108,644.39
12/29 1	12520073	58779.000048	1632	-\$540.00	\$109,184.39
12/29 2	12520073	58779.000048	1642	\$430.00	\$108,754.39
12/29 5334	12212557	75820.017010	1253	\$1,110.00	\$107,644.39
12/29 5891	10499456	60838.000340	1801	\$810.00	\$106,834.39
12/29 8853	5190572	54936.004333	8021	\$40.00	\$106,794.39
12/29 4	PCT/US09/06273	67858.707002	1703	\$7,696.00	\$99,098.39
12/29 3	PCT/US09/06273	67858.707002	1702	\$1,184.00	\$97,914.39
12/29 2	PCT/US09/06273	67858.707002	1602	\$2,080.00	\$95,834.39
12/29 1	PCT/US09/06273	67858.707002	1601	\$240.00	\$95,594.39
12/29 7	PCT/US09/06257	67858.702002	1702	\$1,184.00	\$94,410.39
12/29 8	PCT/US09/06257	67858.702002	1703	\$8,008.00	\$86,402.39
12/29 6	PCT/US09/06257	67858.702002	1602	\$2,080.00	\$84,322.39
12/29 5	PCT/US09/06257	67858.702002	1601	\$240.00	\$84,082.39
12/29 9	PCT/US09/06274	67858.706002	1601	\$240.00	\$83,842.39
12/29 10	PCT/US09/06274	67858.706002	1602	\$2,080.00	\$81,762.39
12/29 11	PCT/US09/06274	67858.706002	1702	\$1,184.00	\$80,578.39
12/29 12	PCT/US09/06274	67858.706002	1703	\$7,241.00	\$73,337.39
12/29 16	PCT/US09/06266	67858.708002	1703	\$7,774.00	\$65,563.39
12/29 15	PCT/US09/06266	67858.708002	1702	\$1,184.00	\$64,379.39
12/29 14	PCT/US09/06266	67858.708002	1602	\$2,080.00	\$62,299.39
12/29 13	PCT/US09/06266	67858.708002	1601	\$240.00	\$62,059.39
12/29 10905	12645632	63084.008001	8021	\$40.00	\$62,019.39
12/29 11700	12666009		8021	\$40.00	\$61,979.39
12/29 12585	12525438	66857.000057	1617	\$130.00	\$61,849.39
12/29 12783	12525438	66857.000057	8021	\$40.00	\$61,809.39
12/29 13411	11504557	47004.000439	1814	\$140.00	\$61,669.39
12/29 13518	11504557	47004.000439	1806	\$180.00	\$61,489.39
12/29 13699	11403317	47004.000412	1801	\$810.00	\$60,679.39
12/30 1160	77902136	69833.000002	7001	\$325.00	\$60,354.39
12/30 1495	10560378	58777.000018	1251	\$130.00	\$60,224.39
12/30 1	490.00	68936.1150	1559	-\$490.00	\$60,714.39
12/30 2	7018645	68936.1150	1559	\$490.00	\$60,224.39
12/30 3875	12514781	58779.000047	8021	\$40.00	\$60,184.39
12/30 4119	11578428	58764.000063	1504	\$300.00	\$59,884.39
12/30 4118	11578428	58764.000063	1501	\$1,510.00	\$58,374.39
12/30 5951	12667200	66857.000059	1633	\$220.00	\$58,154.39
12/30 5949	12667200	66857.000059	1631	\$330.00	\$57,824.39
12/30 5950	12667200	66857.000059	1642	\$430.00	\$57,394.39
12/30 7061	12649105	58764.000126	1111	\$540.00	\$56,854.39
12/30 7060	12649105	58764.000126	1011	\$330.00	\$56,524.39
12/30 7062	12649105	58764.000126	1311	\$220.00	\$56,304.39
12/30 8185	12290215	68865.001136	1806	\$180.00	\$56,124.39
12/30 8186	12290215	68865.001136	1814	\$280.00	\$55,844.39

RMS/RBV



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Alexandria, VA 22313-1450
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Hunton & Williams LLP

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INTELLECTUAL PROPERTY DEPARTMENT
1900 K STREET, N.W., SUITE 1200
WASHINGTON DC 20006-1109

MAR 15 2010

9391
3-17-10
Response Due
4-12-10
3-12-10
4-12-10
WAF

COPY MAILED

MAR 12 2010

In re Patent No. 7,018,645
Issue Date: March 28, 2006
Application No. 09/559,799
Filed: April 27, 2000
Attorney Docket No. T8275

68936.001150

NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **NOT ACCEPTED**.

The fee deficiency cannot be accepted because no itemization has been submitted, as required by 37 CFR 1.28(C) (ii) which states:

(2) Payment of deficiency owed. The deficiency owed, resulting from the previous erroneous payment of small entity fees, must be paid.

(ii) *Itemization of the deficiency payment.* An itemization of the total deficiency payment is required. The itemization must include the following information:

(A) Each particular type of fee that was erroneously paid as a small entity, (e.g., basic statutory filing fee, two-month extension of time fee) along with the current fee amount for non-small entity;

(B) The small entity fee actually paid, and when. This will permit the Office to differentiate, for example, between two one-month extension of time fees erroneously paid as a small entity but on different dates;

Application No. 09/559,799

Page 2

(C) The deficiency owed amount (for each fee erroneously paid); and

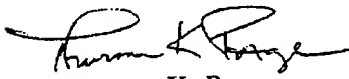
(D) The total deficiency payment owed, which is the sum or total of the individual deficiency owed amounts set forth in paragraph (c)(2)(ii)(C) of this section.

As indicated above, the seven and half year maintenance fee must be properly itemized.

This itemization must be provided within one (1) month of the mail date of this decision to avoid the return of the deficiency payment. See 37 CFR 1.28 (c)(3). No extension of this 1-month time limit will be granted under 37 CFR 1.136(a).

The additional fee submitted December 22, 2009, is acknowledged, however, the maintenance fee must be properly itemized as indicated above.

Inquiries related to this communication should be directed to Diane Goodwyn at (571) 272-6735.



Thurman K. Page
Petitions Examiner
Office of Petitions